

112TH CONGRESS  
2D SESSION

# H. R. 4352

To direct the Secretary of Transportation to establish a transformational infrastructure competitive grant program, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2012

Mr. HIGGINS (for himself, Ms. HAHN, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To direct the Secretary of Transportation to establish a transformational infrastructure competitive grant program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nation Building Here  
5 at Home Act of 2012”.

6 **SEC. 2. TRANSFORMATIONAL INFRASTRUCTURE COMPETI-**  
7 **TIVE GRANT PROGRAM.**

8 (a) ESTABLISHMENT.—Not later than 270 days after  
9 the date of enactment of this Act, the Secretary of Trans-

1 portation shall establish a transformational infrastructure  
2 competitive grant program to assist infrastructure  
3 projects with the potential to significantly impact a metro-  
4 politan area, a region, or all of the United States.

5 (b) GRANT AUTHORITY.—In carrying out the pro-  
6 gram established under subsection (a), the Secretary may  
7 make a grant, on a competitive basis, to any of the fol-  
8 lowing:

9 (1) A State government.

10 (2) A local government.

11 (3) A transit agency.

12 (4) A port authority.

13 (c) ELIGIBLE PROJECTS.—

14 (1) IN GENERAL.—A grant made under sub-  
15 section (b) may be used for any of the following, if  
16 the Secretary determines that the project will signifi-  
17 cantly impact a metropolitan area, a region, or all  
18 of the United States:

19 (A) A highway or bridge project eligible  
20 under title 23, United States Code, including  
21 interstate rehabilitation, improvements to the  
22 rural collector road system, the reconstruction  
23 of overpasses and interchanges, bridge replace-  
24 ments, bridge painting, seismic retrofit projects  
25 for bridges, and road realignments.

1 (B) A public transportation project eligible  
2 under chapter 53 of title 49, United States  
3 Code, including investment in a project partici-  
4 pating in the New Starts or Small Starts pro-  
5 grams that will expedite the completion of that  
6 project and its entry into revenue service.

7 (C) A passenger or freight rail transpor-  
8 tation project.

9 (D) A port infrastructure investment, in-  
10 cluding a project that connects ports to other  
11 modes of transportation and improves the effi-  
12 ciency of freight movement.

13 (E) An aviation infrastructure project.

14 (F) A water infrastructure project.

15 (2) COORDINATION.—With respect to a project  
16 described in paragraph (1)(F), the Secretary shall  
17 coordinate any grant for such a project with the Ad-  
18 ministrator of the Environmental Protection Agency  
19 and the Secretary of the Army (acting through the  
20 Chief of Engineers).

21 (d) APPLICATIONS AND CRITERIA FOR GRANT  
22 AWARDS.—

23 (1) APPLICATIONS.—To be eligible for a grant  
24 made under subsection (b), an entity described in  
25 paragraph (1), (2), (3), or (4) of that subsection

1       shall submit to the Secretary an application in such  
2       form, at such time, and containing such information  
3       as the Secretary determines appropriate.

4           (2) CRITERIA FOR GRANT AWARDS.—Not later  
5       than 90 days after the date of enactment of this  
6       Act, the Secretary shall issue regulations specifying  
7       the criteria that the Secretary will use to make  
8       grants on a competitive basis under subsection (b).

9           (3) FINANCIAL COMMITMENTS.—The criteria  
10       specified by the Secretary under paragraph (2) shall  
11       include criteria for the consideration of—

12           (A) whether there are financial commit-  
13       ments in place with respect to a proposed  
14       project;

15           (B) the degree of certainty with respect to  
16       such financial commitments; and

17           (C) whether such financial commitments  
18       are from non-Federal sources.

19       (e) FEDERAL SHARE.—The Federal share of the cost  
20       of a project assisted with a grant made under subsection  
21       (b) may not exceed 100 percent of that cost.

22       (f) CONSIDERATIONS.—In making grants under sub-  
23       section (b), the Secretary shall ensure, to the extent prac-  
24       ticable, that the grants—

1           (1) are distributed geographically in an equi-  
2       table manner;

3           (2) address the needs of both urban and rural  
4       areas appropriately;

5           (3) promote the training and employment of  
6       veterans, including by having applicable contractors  
7       provide to veterans a preference during the hiring  
8       and referral of laborers; and

9           (4) are utilized in a manner that ensures an ap-  
10      propriate percentage of grant amounts are expended  
11      through small business concerns owned and con-  
12      trolled by socially and economically disadvantaged  
13      individuals (as determined by the Secretary).

14       (g) APPLICABILITY OF TITLE 40.—Each project con-  
15      ducted using funds provided with a grant made under sub-  
16      section (b) shall comply with the requirements of sub-  
17      chapter IV of chapter 31 of title 40, United States Code.

18       (h) BUY AMERICA.—

19           (1) IN GENERAL.—None of the funds made  
20      available for a project under this Act may be used  
21      for the project unless all of the iron, steel, and man-  
22      ufactured goods used in the project are produced in  
23      the United States.

1           (2) EXCEPTIONS.—Paragraph (1) shall not  
2       apply in any case or category of cases in which the  
3       Secretary finds that—

4           (A) applying paragraph (1) would be in-  
5       consistent with the public interest;

6           (B) iron, steel, or the relevant manufac-  
7       tured goods are not produced in the United  
8       States in sufficient and reasonably available  
9       quantities or to a satisfactory quality; or

10          (C) inclusion of iron, steel, and manufac-  
11       tured goods produced in the United States will  
12       increase the cost of the overall project by more  
13       than 25 percent.

14          (3) JUSTIFICATIONS.—If the Secretary deter-  
15       mines that it is necessary to waive the application of  
16       paragraph (1) based on a finding under paragraph  
17       (2), the Secretary shall publish in the Federal Reg-  
18       ister a detailed justification for the waiver.

19          (4) INTERNATIONAL AGREEMENTS.—This sub-  
20       section shall be applied in a manner consistent with  
21       United States obligations under international agree-  
22       ments.

23          (i) TRANSPARENCY AND ACCOUNTABILITY.—In car-  
24       rying out the program established under subsection (a),  
25       the Secretary shall—

(2) make available to the public, on an appropriate Web site of the Department of Transportation, information on each grant made under subsection (b); and

(3) submit to Congress, not later than 1 year after the first grant is made under subsection (b), and annually thereafter, information on grants made under subsection (b), including the progress made on projects funded by such grants.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the program established under subsection (a) the following:

16 (1) \$250,000,000,000 for fiscal year 2013.

17 (2) \$250,000,000,000 for fiscal year 2014.

18 (3) \$250,000,000,000 for fiscal year 2015.

19 (4) \$250,000,000,000 for fiscal year 2016.

20 (5) \$250,000,000,000 for fiscal year 2017.

21 SEC. 3. NATION BUILDING HERE AT HOME FINANCING INI-  
22 TIATIVE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transpor-

1 tation, shall establish a Nation Building Here at Home  
2 Financing Initiative in accordance with this section.

3 (b) **AUTHORITY TO ISSUE BONDS.**—In carrying out  
4 the initiative established under subsection (a), the Sec-  
5 retary of the Treasury may issue bonds. The aggregate  
6 face amount of bonds issued under this subsection may  
7 not exceed \$300,000,000,000.

8 (c) **CHARACTERISTICS OF BONDS.**—Bonds issued  
9 under subsection (b) shall be issued in such amounts, bear  
10 such rates of interest, and be subject to such terms and  
11 conditions as the Secretary of the Treasury may prescribe.

12 (d) **USE OF BOND PROCEEDS.**—The Secretary of the  
13 Treasury shall make available to the Secretary of Trans-  
14 portation the proceeds resulting from bonds issued under  
15 subsection (b). The Secretary of Transportation may use  
16 such proceeds only to carry out the program established  
17 under section 2(a) of this Act.

18 **SEC. 4. REPORT.**

19 Not later than 180 days after the date of enactment  
20 of this Act, the Secretary of Transportation shall submit  
21 to Congress a comprehensive report describing the trans-  
22 portation needs of the United States for each of the fol-  
23 lowing:

24 (1) The 20-year period beginning on the date of  
25 enactment of this Act.



1           (2) The 30-year period beginning after the pe-  
2       riod described in paragraph (1).

3           (3) The 50-year period beginning after the pe-  
4       riod described in paragraph (2).

○